

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY R. TURNER,
Petitioner,

No. C 10-2922 MHP (pr)

ORDER OF TRANSFER

v.

MS. SALINAS (D.V.I. WARDEN);
et al.,

Respondents.

Anthony R. Turner filed a petition for writ of habeas corpus to challenge the conditions of confinement at Deuel Vocational Institute in Tracy, California, where he is now incarcerated. Tracy is in San Joaquin County, which is within the venue of the Eastern District of California. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence. See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989). Because petitioner is confined in the Eastern District of California and challenging the execution of his sentence, pursuant to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests of justice, this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter.

IT IS SO ORDERED.

DATED: July 9, 2010


Marilyn Hall Patel
United States District Judge